

CHAPTER 220.

AN ACT to pay the Civil List, and other expenses of Civil Government.
Superseded by 1828, ch. 197.

CHAPTER 221.

AN ACT relating to Bail in Civil Actions.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That it shall and may be lawful for any person arrested or imprisoned in virtue of a writ of *capias ad respondendum*, in any civil action, at any time before the return day of such writ, to apply, by petition, to any judge of the court to which such writ shall be returnable, to appoint a time and place for producing before him such petitioning prisoner, to be discharged from imprisonment, unless cause shall be shewn to the contrary; and on such application, it shall be the duty of such judge to issue an order to the sheriff, or other officer, in whose custody such petitioner may be, to produce him before such judge, at a time and place in the said order specified, to do and receive whatsoever shall seem just, and also requiring such sheriff, or other officer, to give notice to the plaintiff or plaintiffs, at whose suit such petitioning prisoner shall have been arrested, or to the attorney or agent for the plaintiff or plaintiffs in such suit, to produce at the time and place named in the said order, the cause of such suit or action; and it shall be the duty of the sheriff, or other officer, to whom such order shall be directed, to obey and execute the same, by delivering a copy thereof to the plaintiff or plaintiffs therein named, or to his or their agent or attorney, or by leaving such copy at the dwelling-house or usual place of abode or of business of either of them, within the time in such order limited, and by producing the body of such petitioning prisoner before the said judge, as directed by such order; and the sheriff, or other officer, who shall execute any such order, shall be entitled to receive from the applicant, such fees as are allowed by law for similar services, to be ascertained and allowed by the judge who shall decide on the application.

Persons arrested in any civil action to apply to judges, &c.

SEC. 2. *And be it enacted,* That at the time and place appointed by the order of any judge for producing before him the body of any petitioning prisoner, the same judge, or any other judge of the same court, may immediately hear and decide on the application of such petitioner, if it shall appear that notice has been duly given to the plaintiff or plaintiffs, at whose suit such prisoner shall have been arrested, or to his or their attorney or agent, in such suit, or if either of them shall attend, or for want of such notice, or for such other cause as to the said judge may appear reasonable, may postpone the consideration of the petition of such prisoner to another time, and direct notice

Who may decide on such application, &c.